

405 KAR 3:070. Signs and markers.

RELATES TO: KRS 350.151

STATUTORY AUTHORITY: KRS 350.151

NECESSITY, FUNCTION, AND CONFORMITY: KRS 350.151 requires the Environmental and Public Protection Cabinet to adopt rules and administrative regulations for the surface effects of underground coal mining. This administrative regulation sets forth requirements relating to the postmining use of land.

Section 1. General. All signs required to be posted shall be of a standard design that can be seen and read easily and shall be made of durable material. Signs and other markers shall be maintained by the permittee during all operations to which they pertain and shall be kept legible and visible and shall conform to all local ordinances and codes. The cabinet may establish standards for construction of signs and markers as necessary to accomplish the purposes of this administrative regulation.

Section 2. Mine and Permit Identification Signs. (1) Signs identifying the mine area shall be displayed at all points of access to the permit area from public roads and highways. Signs shall clearly identify the name, business address, and telephone number of the permittee and identification numbers of current mining and reclamation permits or other authorizations to operate. Such signs shall not be removed until after release of all bonds. Failure to post such signs shall be grounds for revocation of the permit.

(2) Signs constructed pursuant to this section shall be constructed of wood or other durable material, with the sign face to be at least two (2) feet in height and four (4) feet in width, and the top of the sign to stand not less than six (6) feet above the ground.

Section 3. Buffer Zone Markers. Land areas within 100 feet of perennial and intermittent streams shall not be disturbed unless specifically authorized by the cabinet. Such areas to be undisturbed are to be designated as buffer zones and shall be marked along the interior boundary of the buffer zone with durable and easily recognized markers, having the permit number permanently affixed thereto, and located so that adjacent markers are clearly visible. (4 Ky.R. 415; eff. 5-3-78; Am. 516; 5 Ky.R. 225; eff. 8-23-78; TAm eff. 8-9-2007.)